

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

BRONSON MCCLELLAND

Plaintiff,

v.

KATY INDEPENDENT SCHOOL
DISTRICT, ET AL

Defendants.

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C.A. NO. 4:21-CV-00520

PLAINTIFF'S MOTION TO UNSEAL DOCUMENTS

TO THE HONORABLE UNITED STATES DISTRICT JUDGE KEITH P. ELLISON:

Plaintiff, BRONSON MCCLELLAND, requests that this Court issue an order directing the Clerk of the Court to make public all motions, responses, replies, documents, and exhibits submitted under seal, specifically Document Nos. 63, 67, 69, 76, 77 and 78.

I. INTRODUCTION

Defendants filed a total of four (4) Motions to Quash, however Defendants failed to follow the proper procedure to seal said motions. As a result of the sealed filings, the subsequent response (Doc. 76) and reply (Doc. 78) were also filed under seal.

On September 27, 2021, Defendant Kenneth Gregorski filed Document No. 63 – Sealed Motion to Quash Deposition.

On October 4, 2021, Non-Party Debbie Decker filed Document No. 67 – Sealed Motion to Quash Deposition.

On October 5, 2021, Defendant Justin Graham, Non-Parties Andrea Grooms and Sherri Ashorn, filed Document No. 69 – Sealed Motion to Quash Depositions.

On October 13, 2021, Plaintiff filed Document No. 76 – Sealed Response to Motions to Quash Depositions.

On October 15, 2021, Defendants Leslie Haack and Rick Hull filed Document No. 77 – Sealed Motion to Quash.

On October 15, 2021, Defendants filed Document No. 78 – Sealed Reply to Plaintiff's Response.

II. ARGUMENT & AUTHORITIES

Pursuant to L.R. 83.6, filers must ask the Court's permission to file under seal. A filer is supposed to file the request, attaching the item to be sealed to a motion to seal said document. The motion to seal must include the legal basis for sealing the proposed document or motion. Here, Defendants unilaterally filed four motions to quash depositions under seal without seeking the court's approval or authorization prior to sealing said motions.

Additionally, Defendants have failed to provide any legal basis that would support sealing said motions. Specifically, there is no sensitive or confidential information requiring the sealing of the motions and disclosing the motions to the public would not injure Defendants.

III. CONCLUSION AND PRAYER

Because Defendants have not followed local rules and failed to receive leave of Court to file under seal, all the relevant motions, responses and replies should be unsealed.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed this document on October 20, 2021, and that a true and correct copy of the foregoing was served on all counsel of record via CM/ECF/facsimile transmission as follows:

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